

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

SAMUEL WAYNE WRIGHT,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING
DEFENDANT'S MOTIONS FOR
EARLY TERMINATION OF
SUPERVISED RELEASE

Case No. 2:04-CR-778 TS

I. INTRODUCTION

This matter is before the Court on Defendant's two Motions for Early Termination of Supervised Release. The Court grants the Motion.

II. BACKGROUND

On October 19, 2005, Defendant was sentenced to 63 months in custody to be followed by 36 months of supervised release. Defendant began his supervision on November 2, 2009. Since his release, he has maintained employment and is attending university full-time studying construction management, and is meeting his family obligations. Defendant, acting pro se, filed his initial Motion for Early Termination on

December 14, 2010. On January 8, 2011, he was involved in an incident that resulted in his January 20, 2011 sentence in state court for misdemeanor Assault and Intoxication. A warrant or summons for a violation of the terms of his supervised release in the present case was subsequently dismissed based on Defendant's participation in a correctional intervention.¹

On May 17, 2011, Defendant, acting through his attorney filed a second Motion for Early Termination of Supervised Release. The second Motion was based on the same facts raised in the first Motion.

III. DISCUSSION

The Court may modify or reduce a term of supervision under 18 U.S.C. § 3583(e)(2) and Fed.R.Crim.P. 32.1. In making this determination, the Court must consider many of the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.²

The Court has considered these factors, has reviewed this entire case, consulted with Defendant's supervising probation officer, and notes that the government has no objection to early termination. The Court finds as follows: Defendant has tested negative on all drug tests during his term of supervised release. Defendant is compliant with the terms of supervised release, is maintaining employment, pursuing an education, and supporting his children. Based on these findings and on consideration of the applicable

¹See Docket No. 35.

²18 U.S.C. § 3583(e) (directing that the court consider factors set forth in § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)).

§ 3553(a) factors, the Court finds that early termination is warranted by the conduct of the offender and is in the interest of justice.

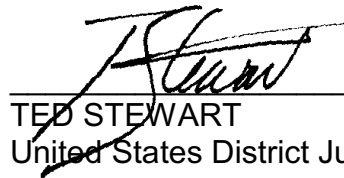
IV. CONCLUSION AND ORDER

Based upon the above, it is hereby

ORDERED that Defendant's Motions for Early Termination of Supervised Release (Docket Nos. 25 and 36) are GRANTED and Defendant's supervised release is terminated.

DATED this 31st day of May, 2011.

BY THE COURT:



TED STEWART
United States District Judge